

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. NO.: 3426-01  
BILL NO.: HB 1656  
SUBJECT: Cities: Weed control  
TYPE: Original  
DATE: February 7, 2000

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**FISCAL SUMMARY**

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**\*This proposal is permissive.**

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 3 pages.

## FISCAL ANALYSIS

### ASSUMPTION

Officials of the **City of Kirksville** stated that this proposal is permissive and would impose no additional costs on the state. Officials stated that local governments would have some additional costs of municipal administration if they elect to pass an ordinance extending the authority granted by this legislation.

Officials of the **City of Mexico** assume no significant fiscal impact.

Officials of the **City of West Plains** assume no significant fiscal impact.

**Oversight** assumes cities that would use this alternative method for weed abatement would have costs of administration, enforcement, and of weed control. **Oversight** assumes that the city would recover all costs of weed abatement by issuing a special tax bill payable by the owners of property where weed abatement was conducted. Therefore, there would be no fiscal impact to certain cities that elected to initiate weed control under the provisions of this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	\$0	\$0	\$0
<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	\$0	\$0	\$0

### FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

### DESCRIPTION

Under current law, municipalities are allowed to order property owners to remove weeds which have been declared a nuisance after proper notice. This bill allows the marshal or other city official in any city to issue a summons to the property owner after proper notification of tall weeds, trash, or both being present on the property, whereby the property owner must appear in municipal court.

DESCRIPTION(continued)

If the violation has not been abated by the court date, the property owner may be found guilty of a class C misdemeanor and the property owner may be ordered to abate the violation. In the event the weeds, trash, or both are not removed, the municipality must follow the process of clearing the property of weeds or trash and establish a lien on the property.

Under current law, any city, town, or village located in a first classification county may hold hearings after 4 days notice to a property owner to determine whether weeds growing on the property in the city constitute a nuisance. If a nuisance is found to exist, abatement is required within 5 business days after the hearing. If the weeds are not cut down and removed within the 5 business days, the city must immediately remove the weeds. This bill removes language limiting this process to cities in first classification counties and extends the process to any city, town, or village. This process is also allowed for trash removal.

The bill also allows any city, town, or village to remove weeds without notification to the property owner if weeds are allowed to grow on the same property in violation of an ordinance more than once during the same growing season. Under current law, the removal of weeds without notification only applies in Kansas City, St. Louis City, and any city, town, or village in St. Louis County.

The bill contains a penalty provision.

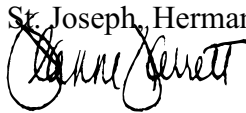
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

City of Kirksville  
City of Mexico  
City of West Plains

NOT RESPONDING

Cities of: Poplar Bluff, Fulton, Hannibal, Kennett, Maryville, St. Joseph, Hermann, Columbia, and Jefferson City.

  
Jeanne Jarrett, CPA  
Director  
February 7, 2000